

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF MARYLAND  
3

4 JEFF HULBERT, et al., :  
5 Plaintiffs :  
6 vs. :  
7 SGT. BRIAN T. POPE, et al., : CASE NUMBER:  
8 Defendants : 1:18-CV-02317 GLR  
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11  
12 Deposition of TROOPER JOSEPH WALDER, JR.,  
13 taken on Monday, January 13, 2020, at 2:05 p.m.,  
14 at Hansel Law, 2514 North Charles Street,  
15 Baltimore, Maryland, before Linda A. Crockett,  
16 Notary Public.  
17 -----  
18  
19

20 Reported by:  
21 Linda A. Crockett

**Exhibit B**

1           **A. Yes.**

2           Q. Have you worked for any other governor  
3 other than Governor Hogan in executive  
4 protection?

5           **A. O'Malley.**

6           Q. When did you get assigned to the  
7 lieutenant governor?

8           **A. When they were elected.**

9           Q. So somewhere around 2015; is that right?

10          **A. Yes.**

11          Q. And have you -- and recognizing you may  
12 pick up an overtime shift or sub in for somebody,  
13 but have you generally been assigned to executive  
14 protection for the lieutenant governor since  
15 2015?

16          **A. Yes.**

17          Q. And my understanding is that there's an  
18 advance person and then a person who is  
19 personally with the lieutenant governor that sort  
20 of make up his immediate team; is that right?

21          **A. Yes.**

1 Q. And the advance person I understand to  
2 be the advance man or advance person, however you  
3 say it, is that right, in terms of just what  
4 they're referred to as?

5 **A. Yes.**

6 Q. And then the person who's actually with  
7 the lieutenant governor, how do you call that  
8 person or how do you refer to them? I just want  
9 to make sure we're on the same page.

10 **A. Just protection.**

11 Q. So there's the protection officer and  
12 the advance officer; is that right?

13 **A. Yes.**

14 Q. And that's the lieutenant governor's  
15 immediate team; is that fair?

16 **A. Yes.**

17 Q. Okay. All right. Tell me about the  
18 role -- have you worked both roles for the  
19 lieutenant governor?

20 **A. Yes.**

21 Q. And do you routinely kind of trade off

1 Q. I mean, but you work closely together?

2 **A. Yes.**

3 Q. All right. Are the two of you also  
4 friends?

5 **A. Friends as in -- I mean, we have a work**  
6 **friendship.**

7 Q. Sure. But do you see each other outside  
8 of work, maybe at a bar, a cookout, that sort of  
9 thing?

10 **A. No.**

11 Q. Fair enough. But friendly certainly at  
12 work?

13 **A. Sure, yes.**

14 Q. Okay. Now, describe the two roles for  
15 me. What does the advance person do and what  
16 does the protection person do, just from a  
17 thousand feet in the air general question?

18 **A. So basically the advance guy will go**  
19 **obviously in advance to wherever -- whatever that**  
20 **event is or where we're going. He does basically**  
21 **an overview of where we're going, checks things**

1 out. The protection guy is basically, he'll  
2 assume the duty of protecting the lieutenant  
3 governor, anyone approaching him or whatever,  
4 whoever is a threat.

5 Q. And so the protection person -- and  
6 again, you have the knowledge and experience, not  
7 me. But I'm going to make some assumptions to  
8 try to move the deposition along and ask you if  
9 they're correct. If they aren't, tell me. But  
10 the protection person it sounds like maintains a  
11 relatively short distance between him and the  
12 lieutenant governor, stays relatively physically  
13 close in order to perform his role as protection.  
14 Is that right?

15 A. For the most part, yes.

16 Q. And then the advance person is the  
17 person who is more remote and goes and checks out  
18 maybe the path of movement or a location where  
19 they're going to go to; is that generally right?

20 A. Yes.

21 Q. Speaking of the advance person now, does

1 Q. Okay. What is it?

2 **A. It's our schedule.**

3 Q. It's been explained to me that there's a  
4 schedule that's prepared in advance and then it  
5 is corrected or changed if people are out sick or  
6 got in a car wreck or whatever, couldn't make it  
7 to work for whatever reason. Do you know whether  
8 this is the advance one, the final one? Do you  
9 have any idea one way or the other looking at it?

10 **A. No.**

11 Q. Have you ever seen this document before?

12 **A. This particular one, no.**

13 Q. But you've seen documents of this type?

14 **A. Yes.**

15 Q. All right. Looking at Monday, February  
16 5th, can you tell me who was working protection  
17 for the lieutenant governor?

18 **A. That was me, sir.**

19 Q. Okay.

20 **A. Well, I guess it would be me. If you**  
21 **were to draw a straight line, but --**

1 final version, is there any indication on here  
2 that would help narrow it down as to who might  
3 have subbed in for Shusko, assuming somebody did?

4 **A. According to this document, not by**  
5 **memory --**

6 Q. I hear you.

7 **A. -- would be Roby and DeCerbo.**

8 Q. All right. In other words, the way this  
9 is written, it suggests to you it was one of  
10 those people who subbed in for Shusko; is that  
11 what you're telling me?

12 **A. Yes.**

13 Q. All right. And I'll tell you that's  
14 what he told me too. That's why I brought those  
15 to your attention.

16 Looking at this document, is there  
17 anybody else who you think might have subbed in  
18 for him, if somebody did. And I don't even know  
19 if they did it, so I'm not suggesting it.

20 **A. According to this document, no.**

21 Q. Do you remember working this day,

1 lieutenant governor was that this particular  
2 group might have an unpleasant message for him or  
3 one he didn't want to hear; is that right.

4 He says, possible, yes.

5 **A. Okay.**

6 Q. Later in the same deposition he's asked,  
7 that's what you were communicating when you said  
8 that the executive protection people didn't want  
9 the picketers to give them a bunch of stuff for  
10 whatever reason.

11 Correct.

12 In communicating that, the intent was  
13 obviously that they, they refers to the Maryland  
14 capitol police, would send a trooper out and do  
15 whatever could be done to try to avoid the  
16 interaction.

17 Correct.

18 So would you ever, without at least  
19 consulting with your protectee, direct that  
20 officers be sent out to move people because they  
21 might have a message that the protectee didn't



1 want to hear.

2 **A. No.**

3 MR. FREDRICKSON: Objection to the form  
4 of the question. Objection to the improper  
5 reading of the transcript. I don't know why we  
6 have to keep inserting words into the transcript,  
7 especially references to and explanations for  
8 pronouns. It's a totally improper question.

9 Q. Your answer was no?

10 **A. No, I don't --**

11 MR. FREDRICKSON: Do you understand the  
12 question?

13 MR. HANSEL: No, no, no. That's not how  
14 this works.

15 MR. FREDRICKSON: It does work. Because  
16 you don't want to have an improper incorrect  
17 transcript. You said it at the beginning.

18 MR. HANSEL: He answered the question.

19 MR. FREDRICKSON: You asked him a  
20 question that takes you a minute and a half and  
21 you improperly read the deposition.

1                   **A. How would I know that?**

2                   MR. FREDRICKSON: Exactly.

3                   Q. Unless you what, consulted with the  
4 lieutenant governor, right?

5                   MR. FREDRICKSON: Objection to the form  
6 of the question, hypothetical.

7                   MR. HANSEL: Counsel, I'm going to ask  
8 you that you stick to one word. I understand  
9 objection to incorporate all kinds of things.

10                  MR. FREDRICKSON: I can explain my  
11 objection to the point I want to.

12                  MR. HANSEL: I disagree.

13                  **A. That's more an opinion than --**

14                  Q. That's fine. I still need an answer.  
15 Would you ever, without consulting the lieutenant  
16 governor, call the mansion to tell them that  
17 particular picketers have a message he might  
18 find --

19                  **A. That's where you lose me right there.**

20                  Q. Go ahead.

21                  **A. How do I know it's an unpleasant**

1 **message. I never made a call. I never made that**  
2 **kind of a call. It goes case by case. Would I?**  
3 **I could not tell you.**

4 Q. And the only way you would know if he  
5 found it unpleasant or he didn't want to hear it  
6 would be if he told you?

7 MR. FREDRICKSON: Objection. Who is he?

8 MR. HANSEL: The lieutenant governor.

9 MR. FREDRICKSON: There's nothing in  
10 that transcript that says lieutenant governor.

11 MR. HANSEL: We're looking at it and it  
12 does.

13 **A. As far as unpleasant message, I mean,**  
14 **I've never had that.**

15 Q. So you wouldn't know whether it was a  
16 message he didn't want to hear unless he told  
17 you; is that right?

18 MR. FREDRICKSON: Objection to the form  
19 of the question.

20 **A. A question that he would not want to**  
21 **hear. Yes, I mean, you would have to talk to**

1 **him.**

2 Q. Who is him?

3 **A. You would have to talk to the person you**  
4 **want to know the information, the lieutenant**  
5 **governor. I don't know how else to answer that.**

6 Q. Me neither.

7 **A. That's an opinion.**

8 Q. Now, have you ever been party to asking  
9 anybody in the mansion to send a trooper out to  
10 try to avoid an interaction between a protectee  
11 and members of the public?

12 MR. FREDRICKSON: Objection. Asked and  
13 answered. Go ahead.

14 **A. No, no.**

15 Q. To your knowledge, have you ever had any  
16 internal affairs investigations opened against  
17 you?

18 **A. No.**

19 Q. Is it fair to say that, in terms of the  
20 decision-making between the protection team and  
21 the protectee, what's the line between the two?